

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**



Application No. 13455 of Christian C. Dutilh, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the prohibition against allowing a required parking space to measure less than nine feet by nineteen feet (Sub-section 7204.1) to construct a flat in an R-5-B District at the premises 1500 Kingman Place, N.W., (Square 241, Lot 89).

HEARING DATE: April 8, 1981

DECISION DATE: April 8, 1981 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the west side of Kingman Place between P and Q Streets, N.W., approximately one-half block west of Logan Circle. It is in an R-5-B zone District at premises known as 1500 Kingman Place, N.W.

2. The subject lot is presently vacant and unimproved.

3. The applicant proposes to construct a three story, two unit flat, with a one bedroom basement unit, and a two bedroom unit on the first and second floors.

4. The site is rectangular in shape, measuring sixteen feet in width by sixty five feet in depth. The site has an area of 1,040 square feet.

5. The applicant meets the lot occupancy, floor area ratio and rear yard requirements of the R-5-B zone.

6. Sub-section 7202.1 of the Zoning Regulations requires one parking space for every three dwelling units in a flat. Sub-section 7204.1 requires such parking space to be at least nine feet in width and nineteen feet in length. The applicant proposes to establish a parking space of nine feet in width by sixteen feet in length. Thus a variance of three feet is required as to the size of the parking space.

7. The applicant proposes to locate the parking space at the rear of the property, with access from the existing private alley that runs along the southern property line of the site. The alley is a dead-end alley that terminates at the back property line of the subject property.

8. The adjacent properties on P Street vary in width from twenty to twenty three feet, and in depth from 100 to 125 feet. To the north of the site of Kingman Place, itself, all lots are ninety five feet deep.

9. The subject lot is clearly the smallest lot on the subject block. The lot itself is only sixteen feet wide, and the only possible way to provide the required parking would be to place it at a ninety degree angle, running east-west on the lot.

10. The applicant testified that to place the parking space in the east-west direction requires either that the size of the structure be reduced substantially to a one-bedroom unit, which is economically unfeasible to build, or that a variance be obtained from the requirement that a parking space be at least ten feet from the wall of a dwelling.

11. With the exception of one adjoining structure, all houses on the west side of Kingman Place are two story and English basement rowhouses. The structure as proposed by the applicant is very similar in character and design to the existing structures.

12. The alley at the side of the site is a private alley held in common ownership by the owners of Lots 89, 90 and 91, all of which are interior lots on this block. This alley serves as entrances to parking at the rear of all three lots.

13. The Logan Circle Community Association by letter of March 23, 1981 and representation at the public hearing and the Central Northwest Civic Association by letter of April 8, 1981 and representation at the public hearing registered support of the application. The grounds for the support were that the lot is now used illegally as a parking lot and a haven for other acts of crime and it would be much improved by the construction of a home similar in scale and character to other adjoining properties proposed by the applicant. The Board agrees.

14. There was no report of Advisory Neighborhood Commission 2C on this application.

15. There was no opposition to the granting of this application.

#### CONCLUSIONS OF LAW AND OPINION:

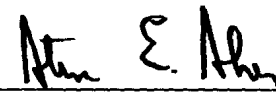
Based on the foregoing Findings of Fact and the evidence of record, the Board concludes that the requested variance is an area variance the granting of which requires the showing of some exceptional situation or condition relating to the property that creates a difficulty upon the owner in developing the property

in strict compliance with the Zoning Regulations. The Board concludes that the narrow width and the shallowness of the lot creates such a difficulty. The house proposed by the applicant is similar in design and character with adjoining properties so as to create a harmonious architectural blend on this block. The Board further concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map. Accordingly, it is ORDERED that the application is hereby GRANTED.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Ruby B. McZier and Connie Fortune to grant; Douglas Patton abstained).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 12 MAY 1981

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INPSECTIONS.